

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

KANO LABORATORIES, INC.,)
)
Plaintiff,)
)
v.) Case No.: 3:12-cv-01209
)
CLENAIR MANUFACTURING, INC.,) MAGISTRATE JUDGE BRYANT
)
Defendant.)

~~—(PROPOSED)~~ AGREED AMENDED SCHEDULING ORDER

In light of the decision by Kano Laboratories, Inc. and ClenAir Manufacturing, Inc. to mediate this case, the Court hereby approves the parties' Agreed Amended Scheduling Order to govern the proceedings in this case, so that the parties' efforts can be directed towards trying to resolve the case, instead of trying to complete depositions and other discovery while also trying to participate in mediation.

1. Staging of Discovery:

The deadline for completion of discovery, other than expert witness depositions, is December 16, 2013; written discovery will be served so that responses are due by that deadline. The party having the burden of proof on an issue at trial shall make expert disclosures required by Federal Rule of Civil Procedure 26(a)(2) by January 10, 2014. A party not having the burden of proof on an issue at trial shall make any rebuttal expert disclosures by February 14, 2014. Any expert witness depositions must occur by March 14, 2014. Any motion related to discovery, other than expert witness depositions, must be filed by February 14, 2014.

Prior to filing any discovery-related motion, the parties will schedule and conduct a telephone conference with Magistrate Judge Bryant. (The counsel requesting the conference shall check with opposing counsel as to availability before setting a time certain with the Court.)

2. Dispositive motions:

All dispositive motions and Daubert motions shall be filed by the close of business on March 31, 2014, and any response thereto shall be filed by the close of business on May 2, 2014. Any reply shall be filed by the close of business on May 16, 2014. If dispositive motions are filed early, the response and reply dates are moved up accordingly.

3. Alternative dispute resolution:

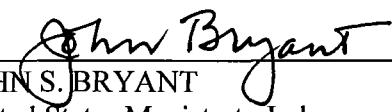
All mediation and alternative dispute resolution proceedings, as agreed between the parties, shall be completed by November 1, 2013, and all currently outstanding discovery requests to which a response is required by the Rules on or prior to November 1, 2013 shall be due November 8, 2013, including but not limited to Requests for Admission, Interrogatories, and Requests for Production of Documents and Things.

4. Other deadlines:

Any motion to amend the pleadings or join parties shall be filed in sufficient time to permit any discovery necessary because of the proposed amendment to be obtained within the time for discovery. No amendments will be allowed if to do so will result in a delay in the disposition of the action by requiring an extension of the discovery deadline.

There shall be no stay of discovery pending disposition of any motions.

It is so **ORDERED**.



JOHN S. BRYANT
United States Magistrate Judge

Approved for Entry:

HARWELL HOWARD HYNE
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s/ R. Alex Payne

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